

Local Form 4A

July 2007

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION

In re:)	Case No. 10-40731
)	
MOSSELLER, JR., WILBUR BRAINERD)	Chapter 13
MOSSELLER, LORRAINE GIBSON)	Our No. 13275-WG
)	
Debtor(s))	

AMENDMENT TO:

**CHAPTER 13 PLAN, INCLUDING NOTICE OF MOTION(S) FOR VALUATION;
MOTION(S) TO AVOID CERTAIN LIENS; MOTION(S) FOR ASSUMPTION AND
REJECTION OF EXECUTORY CONTRACTS AND UNEXPIRED LEASES; AND NOTICE OF
OPPORTUNITY FOR HEARING ON CONFIRMATION OF THE PLAN INCLUDING ALL
MATTERS AS SET FORTH IN THE PLAN,
FOR CASES FILED ON OR AFTER JULY 2, 2007**

Check for motions applicable to this plan amendment:

- ☐ Motion to Value Liens Includes Valuation of Property Securing A Claim
- ☐ Motion to Value Liens includes Valuation of Property Securing A Claim in an Amount Less than the Amount of the Claim
- ☐ Motion to Avoid Liens §522(f)
- ☐ Motion to Assume Executory Contract(s) and Unexpired Leases
- ☐ Motion to Reject Executory Contract(s) and Unexpired Leases
- ☐ No motions applicable to this plan amendment

The Chapter 13 Plan, including certain motions and other provisions, is hereby **amended** as follows:

To reflect that the debtors are assuming the lease for a concrete pump through LEAF with direct payments to be made outside the plan by their corporation. This assumption was erroneously left off the original plan as filed.

TAKE NOTICE: Your rights may be affected. You should read this amendment to the Chapter 13 Plan carefully, including any motions contained in the amended plan, and discuss them with your attorney, if you have one, in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to confirm the proposed plan of the debtor(s) as amended, including any of the motions included in the amended plan, or if you want the court to consider your views on these matters, then you or your attorney must file with the Court a written objection to confirmation and request for hearing on confirmation at the following addresses:

Cases filed in the **Charlotte, Shelby or Wilkesboro** Divisions:

Clerk, U.S. Bankruptcy Court, P.O. Box 34189, Charlotte, N.C. 28234-4189.

Cases filed in the **Asheville or Bryson City** Divisions:

Clerk, U.S. Bankruptcy Court, Room #112, 100 Otis Street, Asheville, N.C. 28801

Your objection to confirmation and request for hearing must include the specific reasons for your objection, and must be filed with the Court no later than fifteen (15) days following the conclusion of the Section 341(a) meeting of creditors, or within fifteen (15) days of service of the amendment, whichever is later. If you mail your objection to confirmation to the Court for filing, you must mail it early enough so that the Court will receive it on or before the deadline stated above. You must also serve a copy of your objection to confirmation on the debtor(s), the attorney for the debtor(s), and the Chapter 13 trustee at their addresses as they are listed in the notice of the meeting of creditors. If any objections to confirmation are filed with the Court, the objecting party will provide written notice of the date, time and location of the hearing. No hearing will be held unless an objection to confirmation is filed.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the proposed plan of the debtor(s) as amended, including any motions contained in the amended plan, and may enter an order confirming the amended plan and granting the motions. **Any creditor's failure to object to confirmation of the proposed plan as amended shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. Section 1325(a)(5)(A).**

I declare under penalty of perjury that the information provided in the **Amendment** to Chapter 13 Plan, including Notice of Motion(s) for Valuation; Motion(s) to Avoid Certain Liens; and Motion(s) for Assumption and Rejection of Executory Contracts and Unexpired Leases; as to all matters set forth herein are true and correct.

Dated: 11/8/2010

B. Moss
Debtor's Signature

Dated: 11/8/10

Loraine A. Moss
Debtor's Signature

I hereby certify that I have reviewed this document with the debtor(s) and that the debtor(s) have received a copy of this document.

Mrs. S. Blum

Dated: _____

Attorney for the Debtor

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION**

IN THE MATTER OF:

**NAME: MOSSELLER, JR., WILBUR BRAINERD CHAPTER 13 NO. 10-40731
 MOSSELLER, LORRAINE GIBSON OUR FILE NO. 13275-WG**

**ADDRESS: P.O. BOX 77
 LYNN, NC 28750**

SSN: --- -- 2637 & --- -- 5022 DEBTOR.

CERTIFICATE OF SERVICE

WILLIAM S. GARDNER, attorney for the debtor(s), hereby certifies to the Court as follows:

1. I am not a party for the foregoing proceeding;
2. I am not less than 18 years of age;
3. I have this day either filed the attached document for service through the Electronic Case Management System (CM/ECF) or where appropriate, by placing the same on all parties in interest by placing the same in an envelope, first-class mail, postage prepaid, addressed to each person at his dwelling house or usual place of abode or to the place where he regularly conducts his business or profession as follows:

Wilbur Brainerd Mosseller Jr.
Lorraine Gibson Mosseller
P.O. Box 77
Lynn, NC 28750

LEAF Financial Corp.
One Commerce Square
2005 Market St., 15th Floor
Philadelphia, PA 19103

And via the Court's Electronic Case Filing System to:

Steven G. Tate
Chapter 13 Trustee
P.O. Box 1778
Statesville, NC 28687-1778

Linda W. Simpson
Bankruptcy Administrator
402 W. Trade St., Room 200
Charlotte, NC 28202-1664

4. To the best of my knowledge, information and belief, the parties in interest are not infants or incompetent persons;
5. Service as outlined herein was made within the United States of America.

Dated this the ____ day of November 2010.



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